

REMARKS

Upon entry of the amendments herein, claims 1-27, 29, 32 and 33 remain pending in the application. Claims 1, 10, 19 and 29 have been amended herein; and claims 31, 34-37 and 43-45 have been canceled. No new matter has been introduced by any of the amendments herein.

Applicants thank the Examiner for acknowledging consideration of the Information Disclosure Statement mailed on July 6, 2006.

Claims 34-37 were originally deemed by the Examiner to be part of restriction Group I, the group elected, with traverse, by Applicants. In subsequently maintaining the restriction and making it final, however, the Examiner withdrew claims 34-37 from the elected group, and Applicants were deprived of the chance to traverse this further restriction. Up until now, these claims have remained pending, but have had withdrawn status pending their possible rejoining upon the Examiner's determination of allowable subject matter. However, in the interest of expediting allowance of this application, Applicants have herein canceled these claims; this is not an acknowledgment of the validity of the Examiner's further restriction. Applicants maintain the right to resume prosecution of these claims in a divisional application.

The Examiner has maintained the rejections over the Kim and Cottone references, copying essentially verbatim the previous Examiner's comments in the Office Action mailed January 10, 2006. The Examiner asserts that "applicant failed to explain how each reference fails to meet the newly added limitations or alternative [sic], how the new limitations further defines [sic] over the applied references." Applicants would argue that this is an inappropriate assessment and that they, in fact, did supply the required explanation in their previous response. However, also in the interest of expediting prosecution of the present application to allowance, Applicants have chosen not to further argue these points at this time but do reserve their right to pursue the rejected subject matter in a continuation application.

The Examiner indicated that claims 31 and 43-45 contain allowable subject matter and that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, the further limitation common to claims 31, 43, 44 and 45 has been incorporated into independent claims 1, 10, 19 and 29. Concomitantly with the amendment of the base claims, claims 31 and 43-45 have been canceled. Amended claims 1, 10, 19 and 29 now conform with the Examiner's determination of allowable

subject matter and they, along with all claims dependent therefrom, are allowable.

Applicants are also submitting as part of this response an Information Disclosure Statement by which they are making one additional reference of record in the application.

Reconsideration and allowance of the application with pending claims 1-27, 29, 32 and 33 are respectfully requested. Should any other matters require attention prior to allowance, is requested that the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge any fees that may be due in connection with this communication to Deposit Account No. 23-1703.

Dated: January 25, 2007

Respectfully submitted



Richard J. Steyner  
Reg. No. 35,372

Customer Number 007470  
(212) 819-8200

Agent's Direct Line:  
(212) 819-8783

Enclosures: Form PTO/SB/30 (and 1 copy thereof), Form PTO/SB/21, IDS and Form PTO/SB/08A